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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/784,068	02/19/2004	William L. Foster	CM05543H	7016
7590 Barbara R. Doutre Motorola, Inc. Law Department 8000 West Sunrise Boulevard Fort Lauderdale, FL 33322		07/24/2007	EXAMINER DEBERADINIS, ROBERT L	
			ART UNIT 2836	PAPER NUMBER
			MAIL DATE 07/24/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/784,068	FOSTER ET AL.	
	Examiner	Art Unit	
	Robert DeBeradinis	2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-23 is/are allowed.
- 6) ☒ Claim(s) 1-14, 24, 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The reply filed 5/14/07 consists of amending claims 1,8 and remarks related to rejection of claims.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4,11 are rejected under 35 U.S.C. 102(e) as being anticipated by DECKER et al. 6,404,354 (referred in the following as DECKER).

CLAIMS 1,2.

DECKER discloses a rotary switch for scrolling through a plurality of scrollable parameters (abstract, "setting parameters"); and a bump stop (catches 26,27) for triggering a ratcheting function (latching clicks, col. 4, lines 10-40) to increment and decrement the plurality of scrollable parameters.

CLAIMS 3,4,11

DECKER discloses wherein the rotary switch increments and decrements the scrollable parameters with first and second rotations until the bump stop is hit in a first direction, in response to the bump stop being in the first direction the ratcheting function is enabled in the second direction and incrementing of the scrollable parameters is enabled in the first direction, and in response to the bump stop being in the second direction the ratcheting function is enabled in the first direction and decrementing of the scrollable parameters occurs in the second direction (figs 3a-3c, col. 1,4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 –10,12-14,24,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over DECKER et al. 6,404,354.

CLAIMS 5-10.

DECKER discloses a first scrollable parameter controlled by the rotary switch in which rotation in a first direction increments the first scrollable parameter and rotation in

a second direction decrements the first scrollable parameter; and a bump stop coupled to the electronic device.

DECKER does not disclose an input coupled to the electronic device for disabling the first scrollable parameter and enabling a second scrollable parameter the rotary switch hitting the bump stop in the first direction triggering a ratcheting function such that rotation of the switch in the second direction has no effect on the second scrollable parameter.

DECKER teaches rotation direction and/or rotational position signals supplied from the sensor device are converted in the user interface into appropriate control or actuating signals depending on the respectively selected control functions (col. 3, lines 20-40).

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the interface (16) to provide the proper control function to control the desired device, merely selecting the control function that best suits the controlled device.

CLAIMS 12-14.

DECKER discloses wherein the electronic device is a radio communication device wherein the electronic parameter is selected (col. 3, lines 33-40).

DECKER is silent as to the parameter being selected.

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It would have been obvious to one having ordinary skill in the art at the time of this invention to have selected the parameter to control the desired function of the electronic device.

CLAIMS 24,25.

DECKER discloses selecting a parameter to be controlled by the rotary switch; modifying a step size of the rotary switch based on the range of the selected parameter (user interface 16); and narrowing the range for selected parameter (col.1).

DECKER is silent wherein the narrowing the range for the selected parameter is changed with each change in rotation direction based on current, previous and useable switch positions.

It would have been obvious to one having ordinary skill in the art at the time of this invention to develop the method to narrow the range of the controllable parameter to provide the desired user interface to control the desired system.

Allowable Subject Matter

Claims 15-23 allowed.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm.

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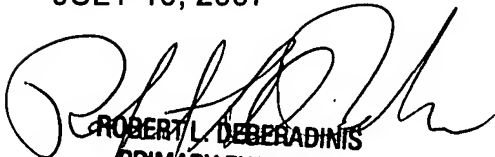
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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Michael Sherry, can be reached on (571) 272-2058. The Fax phone number for this Group is (571) 273 8300.

RLD

JULY 10, 2007


ROBERT L. DEBERADINIS
PRIMARY EXAMINER